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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS

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**Child Care Homes
Letter Series 2017-01**

Date: March 7, 2017

To: All Child Care Home Providers

From: Mark C. Jansen, Director
Child Care Licensing Division

Subject: Amendments to the Child Care Organizations Act (1973 PA 116)

On January 5, 2017 Governor Snyder signed into law changes to the Child Care Organizations Act, PA 116 of 1973. The changes amended Section 15 [MCL 722.125]. These changes officially take effect on April 6, 2017. The revised language is below. The new language is highlighted in bold:

Sec. 15. (1) **Except as provided in subsection (2)**, a person, child care organization, agency, or representative or officer of a firm, corporation, association, or organization who violates this act is guilty of a misdemeanor punishable by the following:

(a) A fine of not less than \$100.00 or more than \$1,000.00 for a violation of section 3b, 3c, or 3d.

(b) For a violation not described in either subdivision (a) or subsection (2), a fine of not less than \$100.00 or more than \$1,000.00, or imprisonment for not more than 90 days, or both.

(2) If a person, family child care home, group child care home, agency, or representative or officer of a firm, corporation, association, or organization intentionally violates a licensing rule for family and group child care homes promulgated under this act and in effect on January 1, 2017, and that violation causes the death of a child, the person, family child care home, group child care home, agency, or representative or officer of a firm, corporation, association, or organization is guilty of second degree child abuse described in section 136b of the Michigan penal code, 1931 PA 328, MCL 750.136b, and punishable as provided in that section. In addition to any other penalty imposed, its license or certificate of registration shall be permanently revoked.

(3) If a person, child care organization, agency, or representative or officer of a firm, corporation, association, or organization is convicted under this act, the conviction is sufficient ground for the revocation of its license or certificate of registration, and the person, child care organization, agency, or representative or officer of a firm, corporation, association, or organization convicted shall not be granted a license or certificate of registration, or be permitted to be connected, directly or indirectly, with a licensee or a registrant for a period of not less than 2 years after the conviction, **except as provided in subsection (2).**

(4) A person, child care organization, agency, or representative or officer of a firm, corporation, association, or organization who has a license or certificate of registration revoked, application denied, or renewal refused, may be refused a license or certificate of registration, or be prohibited from being connected, directly or indirectly, with a licensee or a registrant for a period of not less than 2 years after the revocation, denial, or refusal to renew.

The legislative explanation to these changes can be found at www.legislature.mi.gov/documents/2015-2016/billanalysis/Senate/pdf/2015-SFA-0746-N.pdf. Additional information on the bill can be found on the legislative website at: <http://legislature.mi.gov/doc.aspx?2016-SB-0746>.

If you have any questions about this memo, please contact your licensing consultant.

cc: Child Care Licensing Consultants and Area Managers